



12 SEP 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yoshitaka SAKAUE et al. : Docket No. 2005_0966A

Serial No. 10/538,803 :

Filed June 13, 2005 :

OPTICAL INFORMATION RECORDING
MEDIUM AND METHOD FOR MANUFACTURING
THE SAME
[Corresponding to PCT/JP2003/015832,
Filed December 11, 2003]

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

each U.S. Patent and U.S. Patent application publication;

each reference previously cited in the international application PCT/_____;
and/or

each reference previously cited in prior parent application Serial No.
_____.

1a. This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

- (1) the certification of paragraph 2 below is provided, **or**
- (2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted: after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a full or partial English language translation submitted herewith,
- a foreign patent office search report (in the English language) previously submitted with the initial filing of the above-identified PCT application, filed June 13, 2005 (**Attachment E**),
- the concise explanation contained in the specification of the present application at page,
- the concise explanation set forth in the attached English language abstract,
- the concise explanation set forth below or on a separate sheet attached to the reference:

U.S. Patent Publication No. 2002/54983 corresponds to JP 2002-144736;
U.S. Patent Publication No. 2001/5350 corresponds to JP 2001-243655; and
U.S. Patent No. 6,009,070 corresponds to JP 9-293270.

5. A foreign patent office search report citing one or more of the references is enclosed.

6. Statement Under 37 CFR 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Yoshitaka SAKAUE et al.

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September 12, 2005

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE1 P
12 SEP 2005
LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: September 12, 2005

ATTY DOCKET NO.
2005_0966AS/N NO.
10/538,803APPLICANT
Yoshitaka SAKAUE et al.FILING DATE
June 13, 2005

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2001/0005350	6/2001	Kitaura et al.			
	AB	6,009,070	12/1999	Higuchi et al.			
	AC	2002/0054983	5/2002	Nishihara et al.			
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ	2002-352472	12/2002	JP			Abstract
	AK	2002-74748	3/2002	JP			Abstract
	AL	8-69636	3/1996	JP			Abstract
	AM	11-339332	12/1999	JP			Abstract
	AN	2002-144736	5/2002	JP			Abstract
	AO	1 172 811	1/2002	EP			
	AP	2001-243655	9/2001	JP			Abstract
	AQ	9-293270	11/1997	JP			Abstract
	AR	10-83570	3/1998	JP			Abstract

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

AS	
EXAMINER	DATE CONSIDERED